

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS**

MCR OIL TOOLS, LLC,

§

*Plaintiff,*

§

v.

§ Civil Action No. 18-731

SPEX OFFSHORE, LTD.,

§

SPEX SERVICES, LTD.,

§

SPEX OFFSHORE (UK) LTD.,

§

SPEX GROUP US LLC, and

§

SPEX ENGINEERING (UK) LTD.,

§

*Defendants.*

§

**AMENDMENT TO EXHIBITS TO DEFENDANT SPEX OFFSHORE (UK) LTD.'S  
NOTICE OF REMOVAL**

Defendant SPEX Offshore (UK) Ltd. hereby files this Amendment to the Exhibits to the Notice of Removal filed on March 27, 2018.

Respectfully submitted,

/s/ Craig D. Dillard

Craig D. Dillard (#29150)

Federal ID No. 37591

Texas State Bar No. 24040808

Terrell Miller

Texas State Bar No. 24046446

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ATTORNEYS FOR DEFENDANT

**CERTIFICATE OF SERVICE**

The undersigned Counsel hereby certifies that the foregoing has been served via ECF on this the 27th day of March, 2018, to the following:

Blake L. Beckham  
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*/s/ Steven C. Lockhart*  
Steven C. Lockhart

**CAUSE NO. DC-17-17592**

<b>MCR OIL TOOLS, LLC,</b>	§	<b>IN THE DISTRICT COURT OF</b>
<i>Plaintiff,</i>	§	
<i>vs.</i>	§	<b>95<sup>th</sup> JUDICIAL DISTRICT</b>
<b>SPEX OFFSHORE, LTD.,</b>	§	
<b>SPEX SERVICES, LTD.,</b>	§	
<b>SPEX OFFSHORE (UK) LTD.,</b>	§	
<b>SPEX GROUP US LLC, and</b>	§	
<b>SPEX ENGINEERING (UK) LTD.,</b>	§	
<i>Defendants.</i>	§	<b>DALLAS COUNTY, TEXAS</b>

**PLAINTIFF'S RESPONSE TO DEFENDANTS SPEX GROUP US, LLC'S  
AND SPEX ENGINEERING (UK) LTD.'S FIRST SET OF INTERROGATORIES**

**To:** Defendants SPEX GROUP US LLC and SPEX ENGINEERING (UK) LTD., by and through its attorney of record Steven Lockhart, Gardere Wynne Sewell LLP, 2021 McKinney Ave. Suite 1600, Dallas, Texas 75201

Pursuant to Texas Rule of Civil Procedure 197, MCR Oil Tools, LLC (“MCR”) serves these Plaintiff's Response to Defendants SPEX Group US, LLC (“SPEX Group”) and SPEX Engineering (UK) Ltd.’s (“SPEX Engineering”) (collectively “SPEX Defendants”) First Set of Interrogatories.

MCR objects to definition/instruction #1 as it is overly broad and unduly burdensome. When using the name of a party or person, MCR will interpret that to mean the actual party or person and relevant known representatives for that party or person.

**INTERROGATORIES**

1. Describe each misappropriated trade secrets which serve as a basis for Count Three of the PETITION, and include in the response the identity of all persons with knowledge of facts supporting or relating to this claim.

**RESPONSE:** MCR objects to this request as it is clearly 2 distinct requests. In the interests of cooperation and to avoid dispute, MCR will still respond to each of the interrogatories sent by Defendants even though the Rule 11 agreement limited the number of interrogatories to 3. MCR further objects to terms “facts supporting or relating” to this claim as those terms are undefined and therefore are vague and subject to multiple interpretations. MCR will still respond to this request, but its response is based on MCR’s understanding of the terms and not every possible meaning of the terms.

Subject to and without waiving its objections: DRAFT RESPONSE

1. MCR’s Radial Cutting Torch nozzle design  
MCR’s Radial Cutting Torch body size i.e., length, OD, ID  
MCR’s Radial Cutting Torch fuel load  
MCR’s Perforating Torch nozzle design  
MCR’s Perforating Torch body size i.e., length, OD, ID  
MCR’s Perforating Torch fuel load  
MCR’s Axial Cutting Torch nozzle design  
MCR’s Axial Cutting Torch body size i.e., length, OD, ID  
MCR’s Axial Cutting Torch fuel load  
MCR’s fuel loading Chart  
MCR’s specification sheet  
MCR’s patents  
MCR’s Confidential Information (as defined in the License and Letter Agreements)  
Letter Agreement of June 1, 2015  
Agreement Granting Access to Confidential Information; March 6, 2015  
SPEX License Number XRT-2013-0021; May 21, 2014

This information is based on what is known at this time. As discovery continues this information is subject to supplementation and amendment. There is little doubt that once discovery is obtained from Defendants, this response will change.

2. Other than MCR’s attorneys, Michael C. Robertson, Douglas Streibich, and Anthony Grattan. Most likely there are also multiple employees and agents, former and current, of Defendants who have knowledge regarding this.
2. Describe the misappropriated confidential information which serves as a basis for Count Four of the PETITION, and include in the response the identity of all persons with knowledge of facts supporting or relating to this claim.

**RESPONSE:** MCR objects to this request as it is clearly 2 distinct requests. In the interests of cooperation and to avoid dispute, MCR will still respond to each of the interrogatories sent by Defendants even though the Rule 11 agreement limited the number of interrogatories to 3. MCR further objects to terms “facts supporting or relating” to this claim as those terms are undefined and therefore are vague and subject to multiple interpretations. MCR will still respond to this request, but its response is based on MCR’s understanding of the terms and not every possible meaning of the terms.

Subject to and without waiving its objections: DRAFT RESPONSE

1. MCR's Radial Cutting Torch nozzle design  
MCR's Radial Cutting Torch body size i.e., length, OD, ID  
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MCR's Perforating Torch fuel load  
MCR's Axial Cutting Torch nozzle design  
MCR's Axial Cutting Torch body size i.e., length, OD, ID  
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MCR's Confidential Information (as defined in the License and Letter Agreements)  
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SPEX License Number XRT-2013-0021; May 21, 2014

This information is based on what is known at this time. As discovery continues this information is subject to supplementation and amendment. There is little doubt that once discovery is obtained from Defendants, this response will change.

2. Other than MCR's attorneys, Michael C. Robertson, Douglas Streibich, and Anthony Grattan. Most likely there are also multiple employees and agents, former and current, of Defendants who have knowledge regarding this.
2. For each partnership, company or other business organization owned or controlled by ROBERTSON, whether directly or indirectly and whether individually or in combination any other PERSON, including without limitation MCR Oil Tools LLC, MCR Oil Tools International Inc., Nextech Research LLC, Horizon Design & Engineering LLC, Precision Perforators LLC, Pyrotronics LLC, Robertson Intellectual Process LLC, Robertson Intellectual Properties, LLC, Robertson Oil Tools LLC, Thermal Generators LLC, and Thermal Generators Inc., IDENTIFY the (i) partners, members or shreholders, (ii) officers, (iii) general partner(s), managing member(s) or director (s), and (iv) employees that work for more than one of the partnerships, companies or other business organizations identified.

**RESPONSE:** MCR objects to this request as it calls for the disclosure of information which is not relevant and not likely to lead to the discovery of admissible evidence. MCR is not aware of what the 10 entities listed, other than the Plaintiff in this case, have to do with this case. Defendants have filed no pleading which references these entities or even gives MCR a basis for understanding why Defendant believes the requested information is proper discovery. MCR also objects to the request that MCR provide a list of every employee that has ever worked for any of these entities as that is unduly burdensome on its face, especially since this interrogatory does not even have a time limitation.

If Defendants will provide more information on why they believe this information is relevant and likely to lead to the discovery of admissible evidence, MCR can reevaluate the question and may provide further details.

Subject to and without waiving its objections: DRAFT RESPONSE

MCR Oil Tools, LLC:

- a. Partners: Michael C. Robertson, Sherry Robertson, Michelle Robertson, Aaron Robertson, Monica Barlow
- b. Officers: Michael C. Robertson, Sherry Robertson
- c. Managing Member: Michael C. Robertson

**DATED: March 23, 2018.**

Respectfully submitted,

/s/ Blake L. Beckham  
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***ATTORNEYS FOR PLAINTIFF  
MCR OIL TOOLS, LLC***

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the above and foregoing document has been delivered to the following counsel as follows on this 23rd day of March, 2018.

Craig D. Dillard  
Steven Lockhart  
Gardere Wynne Sewell LLP  
2021 McKinney Avenue, Suite 1600  
Dallas, Texas 75201  
*Attorneys for Defendants*

*Via:* [cdillard@gardere.com](mailto:cdillard@gardere.com)  
*Via:* [slockhart@gardere.com](mailto:slockhart@gardere.com)

/s/ Blake L. Beckham  
Blake L. Beckham

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS**

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*Plaintiff,*

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Civil Action No. 18-731

SPEX OFFSHORE, LTD.,

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SPEX SERVICES, LTD.,

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SPEX OFFSHORE (UK) LTD.,

§

SPEX GROUP US LLC, and

§

SPEX ENGINEERING (UK) LTD.,

§

*Defendants.*

**DECLARATION IN SUPPORT OF DEFENDANT SPEX OFFSHORE (UK), LTD.'S  
NOTICE OF REMOVAL**

1. "My name is James "Jamie" Oag. I am authorized to make this Declaration. I am over the age of eighteen and am under no legal disability that would prevent me from testifying in regard to the matters contained within this Declaration.

2. The facts set forth in this Declaration are based on my personal knowledge and experience as: (1) the Chief Executive Officer of SPEX Group Holdings, Ltd.—the parent company of SPEX Engineering (UK), Ltd. and SPEX Offshore (UK), Ltd.; (2) a former Director of SPEX Services, Ltd.; and (3) a former Director of SPEX Offshore, Ltd.

3. If called as a witness, I can and would testify competently to such facts under oath.

4. In the above-described roles, I am familiar with the organizational structure and, where applicable, the operations of SPEX Group US LLC, SPEX Services, Ltd., SPEX Offshore, Ltd., SPEX Offshore (UK), Ltd., and SPEX Engineering (UK), Ltd.

5. SPEX Group US LLC is a single member Texas-registered limited liability company. The sole member of SPEX Group US LLC is SPEX Engineering (UK), Ltd.

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6. SPEX Services, Ltd. was a private limited company incorporated under the laws of the United Kingdom with its principal place of business in Aberdeen, Scotland, United Kingdom. SPEX Services, Ltd. was dissolved under the laws of the United Kingdom before MCR Oil Tools, LLC named SPEX Services, Ltd. as a party to the above-styled action.

7. SPEX Offshore, Ltd. was a private limited company incorporated under the laws of the United Kingdom with its principal place of business in Aberdeen, Scotland, United Kingdom. SPEX Offshore, Ltd. was dissolved under the laws of the United Kingdom before MCR Oil Tools, LLC named SPEX Offshore, Ltd. as a party to the above-styled action.

8. SPEX Offshore (UK), Ltd. is a private limited company incorporated under the laws of the United Kingdom with its principal place of business in Aberdeen, Scotland, United Kingdom.

9. SPEX Engineering (UK), Ltd. is a private limited company incorporated under the laws of the United Kingdom with its principal place of business in Aberdeen, Scotland, United Kingdom.

10. My name is James "Jamie" Oag. My date of birth is March 25, 1966 and my address is Dunecht House, Westhill AB32 7DD, United Kingdom. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct."

Executed on this 27 day of March, 2018.

Jamie Oag  
[Signature]

JAMIE OAG  
Printed Name v.1

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